

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA,) CASE NO. 4:16-CR-132-A
)
Government,)
) FORT WORTH, TEXAS
VERSUS)
) MAY 24, 2016
BRIAN MATTHEW BROWN (02),)
AMANDA ROSE CHAMBERLAIN (03),)
LEE FOGLE (04),)
BILLY FRED GENTRY (05),)
CHAYCE DANIEL HODGES (06),)
KEVIN KYLE KILLOUGH (07),)
MICHAEL JOHN MIZE (10),)
MELISSA VEATCH (17),)
)
Defendants.) 9:35 A.M.

VOLUME 1 OF 1
TRANSCRIPT OF ARRAIGNMENTS
BEFORE THE HONORABLE JEFFREY CURETON
UNITED STATES MAGISTRATE COURT JUDGE

A P P E A R A N C E S:

FOR THE GOVERNMENT: MR. DAN COLE
UNITED STATES DEPARTMENT OF JUSTICE
NORTHERN DISTRICT OF TEXAS
801 Cherry Street, Suite 1700
Fort Worth, Texas 76102-6882
Telephone: 817.252.5200

FOR THE DEFENDANT: MR. JAMES P. WHALEN
Brown (02) 9300 John Hickman Pkwy, Suite 501
Frisco, Texas 75035
Telephone: 214.368.2560

FOR THE DEFENDANT: MR. PAT LEE
Chamberlain (03) Law Office of Tracie L. Tippen
777 Main Street, Suite 600
Fort Worth, Texas 76102
Telephone: 817.501.2261

1 FOR THE DEFENDANT: MR. KEVIN B. ROSS
Fogle (04) Law Office of Kevin B. Ross, PC
2 8150 N. Central Expwy, Suite M2070
3 Dallas, Texas 75206
Telephone: 214.736.1447

4 FOR THE DEFENDANT: MR. MICHAEL RAY HARRIS
Gentry (05) Law Office of Michael Ray Harris
5 6060 N. Central Expwy, Suite 500
6 Dallas, Texas 75206
Telephone: 214.800.2851

7 FOR THE DEFENDANT: MR. PRESTON LEE JONES
Hodges (06) Law Office of Preston Jones
8 6060 N. Central Expwy, Suite 500
9 Dallas, Texas 75206
Telephone: 972.528.0455

10 FOR THE DEFENDANT: MR. KEVIN KYLE KILLOUGH
Killough (07) (Counsel not present)

12 FOR THE DEFENDANT: MR. CODY COFER
Mize (10) Cofer Law
13 300 Throckmorton, Suite 300
14 Fort Worth, Texas 76102
Telephone: 817.882.9977

15 FOR THE DEFENDANT: MR. TALY HAFFAR
16 Veatch (17) Haffar Law
17 8150 N. Central Expwy, Suite 601
Dallas, Texas 75206
Telephone: 214.380.4566

18 COURT REPORTER: MS. DEBRA G. SAENZ, CSR, RMR, CRR
19 501 W. 10th Street, Room 424
20 Fort Worth, Texas 76102
Telephone: 817.850.6661
21 E-Mail: debbie.saenz@yahoo.com

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24 Proceedings reported by mechanical stenography, transcript
25 produced by computer.

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P R O C E E D I N G S

May 24, 2016 - 9:35 a.m.

COURT SECURITY OFFICER: All rise.

(Judge enters)

THE COURT: Thank you. Please be seated.

The Court has several matters that are set for arraignment. As I call your name, if you'll please come forward, you'll be joined by your counsel.

Cause Number 4:16-CR-132, United States versus Brian Brown.

Mr. Cole, are you present for the government in all matters this morning?

MR. COLE: In all matters with regard to this indictment I am, Your Honor.

THE COURT: Very well. So, Mr. Dan Cole is present for the government.

Mr. James Whalen is present for the defense.

MR. WHALEN: Morning, Your Honor.

THE COURT: Morning.

In the same cause number, United States versus Amanda Rose Chamberlain.

For the defense, Mr. Pat Lee.

MR. LEE: Morning, Judge.

THE COURT: Good morning. Thank you for being here for Ms. Tippen.

1 In the same cause number, United States versus Lee
2 Fogle.

3 Mr. Kevin Ross --

4 *MR. ROSS:* Morning, Your Honor.

5 *THE COURT:* Morning. -- is present for the defense.

6 In the same cause number, United States versus Billy
7 Fred Gentry.

8 Mr. Michael Harris is present for the defense.

9 Same cause number, United States versus Chayce
10 Hodges.

11 Preston Jones is present for the defense.

12 Same Cause Number, United States versus Michael
13 Mize.

14 Mr. Cody Cofer is present for the defense.

15 And in the same cause number, United States versus
16 Melissa Veatch.

17 And Mr. Taly Haffar is present for the defense.

18 *MR. HAFFAR:* Yes, sir.

19 *THE COURT:* In the same cause number, Mr. Kevin
20 Killough is named, but Mr. Killough, your attorney, Mr. Derek
21 Brown, is not present and we've reached out to his office.
22 Mr. Brown is usually very punctual and so we're wondering if
23 there's a communication problem or if he's set somewhere else.

24 So, Mr. Killough, for today's purposes, which is set
25 for arraignment, I'm going to enter a plea of not guilty on

1 your behalf.

2 *DEFENDANT KILLOUGH:* Yeah, that's correct.

3 *THE COURT:* Very well. And the case will be given a
4 scheduling order, and you'll be put on track for trial, and
5 Mr. Brown will be back in touch with you as soon as possible.

6 So, for today's purposes, the Court hereby enters a
7 plea of not guilty on behalf of Mr. Kevin Killough as to any
8 charges against him in the indictment, and Mr. Killough is
9 remanded to the custody of the United States Marshal at this
10 time pending further proceedings.

11 (Defendant Killough exiting courtroom)

12 *THE COURT:* Now, for the defendants standing before
13 the Court with counsel, would each of you please raise your
14 right hand and be sworn by my clerk.

15 (Defendants sworn)

16 *THE COURT:* Thank you. I'll have the record reflect
17 that each of you has answered in the affirmative.

18 Would you please state your full name for the
19 record, beginning with Mr. Brown.

20 *DEFENDANT BROWN:* Brian Matthew Brown.

21 *THE COURT:* And Ms. Chamberlain.

22 *DEFENDANT CHAMBERLAIN:* Amanda Rose Chamberlain.

23 *THE COURT:* Mr. Fogle.

24 *DEFENDANT FOGLE:* Lee Davis Fogle.

25 *THE COURT:* Mr. Gentry.

1 *DEFENDANT GENTRY:* Billy Fred Gentry, III.

2 *THE COURT:* Thank you.

3 Mr. Hodges.

4 *DEFENDANT HODGES:* Chayce Daniel Hodges.

5 *THE COURT:* Mr. Mize.

6 *DEFENDANT MIZE:* Michael John Mize.

7 *THE COURT:* And Ms. Veatch.

8 *DEFENDANT VEATCH:* Melissa Kathryn Veatch.

9 How old are you?

10 Mr. Brown.

11 *DEFENDANT BROWN:* I'm 30.

12 *THE COURT:* Ms. Chamberlain.

13 *DEFENDANT CHAMBERLAIN:* 34.

14 *THE COURT:* Mr. Fogle.

15 *DEFENDANT FOGLE:* 33.

16 *THE COURT:* Mr. Gentry.

17 *DEFENDANT GENTRY:* 29.

18 *THE COURT:* Mr. Hodges.

19 *DEFENDANT HODGES:* 34.

20 *THE COURT:* Mr. Mize.

21 *DEFENDANT MIZE:* 35.

22 *THE COURT:* And Ms. Veatch.

23 *DEFENDANT VEATCH:* 44.

24 *THE COURT:* And how far did each of you go in

25 school?

1 Mr. Brown.

2 DEFENDANT BROWN: My GED.

3 THE COURT: Ms. Chamberlain.

4 DEFENDANT CHAMBERLAIN: College.

5 THE COURT: Mr. Fogle.

6 DEFENDANT FOGLE: GED.

7 THE COURT: Mr. Gentry.

8 DEFENDANT GENTRY: Ninth grade.

9 THE COURT: Mr. Hodges.

10 DEFENDANT HODGES: GED.

11 THE COURT: Mr. Mize.

12 DEFENDANT MIZE: College.

13 THE COURT: Ms. Veatch.

14 DEFENDANT VEATCH: Ninth grade.

15 THE COURT: Are you currently or have you recently
16 been under the care of a physician or a psychiatrist?

17 Mr. Brown.

18 DEFENDANT BROWN: No, sir.

19 THE COURT: Ms. Chamberlain.

20 DEFENDANT CHAMBERLAIN: No.

21 THE COURT: Mr. Fogle.

22 DEFENDANT FOGLE: Yes.

23 THE COURT: Is there anything about the care or
24 treatment that you've received, Mr. Fogle, that might
25 interfere with your ability to understand what we're doing

1 here today?

2 *DEFENDANT FOGLE:* No, sir.

3 *THE COURT:* Have you been under such care or
4 treatment, Mr. Gentry?

5 *DEFENDANT GENTRY:* Yes.

6 *THE COURT:* Anything about that experience that
7 would interfere with your ability to understand what we're
8 doing today?

9 *DEFENDANT GENTRY:* No.

10 *THE COURT:* Have you been under such care or
11 treatment, Mr. Hodges?

12 *DEFENDANT HODGES:* Yes.

13 *THE COURT:* And anything that would interfere with
14 your ability to understand what we're doing today?

15 *DEFENDANT HODGES:* No, sir.

16 *THE COURT:* Have you been under such care, Mr. Mize?

17 *DEFENDANT MIZE:* No, sir.

18 *THE COURT:* Except for you have a visible injury.

19 *DEFENDANT MIZE:* Yes, sir.

20 *THE COURT:* Are you on any medications for that?

21 *DEFENDANT MIZE:* Just some aspirin, I'm fine.

22 *THE COURT:* And, Ms. Veatch, have you been under
23 such care or treatment?

24 *DEFENDANT VEATCH:* Yes.

25 *THE COURT:* Anything that would interfere with your

1 ability to understand what we're doing today?

2 DEFENDANT VEATCH: No, sir.

3 THE COURT: Thank you.

4 Have any of you been hospitalized or treated for
5 narcotics addiction or alcoholism recently?

6 Mr. Brown.

7 DEFENDANT BROWN: No.

8 THE COURT: Ms. Chamberlain.

9 DEFENDANT CHAMBERLAIN: No, sir.

10 THE COURT: Mr. Fogle.

11 DEFENDANT FOGLE: No.

12 THE COURT: Mr. Gentry.

13 DEFENDANT GENTRY: No, sir.

14 THE COURT: Mr. Hodges.

15 DEFENDANT HODGES: No, sir.

16 THE COURT: I'm sorry?

17 DEFENDANT HODGES: No, sir.

18 THE COURT: Mr. Mize.

19 DEFENDANT MIZE: No, sir.

20 THE COURT: Ms. Veatch.

21 DEFENDANT VEATCH: No, sir.

22 THE COURT: Are you now under the influence of
23 alcohol or any narcotic drug?

24 Mr. Brown.

25 DEFENDANT BROWN: No.

1 THE COURT: Ms. Chamberlain.

2 DEFENDANT CHAMBERLAIN: No, sir.

3 THE COURT: Mr. Fogle.

4 DEFENDANT FOGLE: No, Your Honor.

5 THE COURT: Mr. Gentry.

6 DEFENDANT GENTRY: No, sir.

7 THE COURT: Mr. Hodges.

8 DEFENDANT HODGES: No, sir.

9 THE COURT: Ms. Mize.

10 DEFENDANT MIZE: No, sir.

11 THE COURT: Ms. Veatch.

12 DEFENDANT VEATCH: No, sir.

13 THE COURT: Do each of you feel physically and
14 mentally fit and able to proceed here today?

15 Mr. Brown.

16 DEFENDANT BROWN: Yes, sir.

17 THE COURT: Ms. Chamberlain.

18 DEFENDANT CHAMBERLAIN: Yes, sir.

19 THE COURT: Mr. Fogle.

20 DEFENDANT FOGLE: Yes, Your Honor.

21 THE COURT: Mr. Gentry.

22 DEFENDANT GENTRY: Yes, sir.

23 THE COURT: Mr. Hodges.

24 DEFENDANT HODGES: Yes, sir.

25 THE COURT: Mr. Mize.

1 *DEFENDANT MIZE:* Yes, Your Honor.

2 *THE COURT:* Ms. Veatch.

3 *DEFENDANT VEATCH:* Yes, sir.

4 *THE COURT:* Each of you are appearing here with
5 your attorney, and I presume you have had an opportunity to
6 review the indictment that has been returned against you by
7 a grand jury and that you understand the nature of the
8 charges.

9 Is that true for you, Mr. Brown?

10 *DEFENDANT BROWN:* Yes, sir.

11 *THE COURT:* Ms. Chamberlain.

12 *DEFENDANT CHAMBERLAIN:* Yes, sir.

13 *THE COURT:* Mr. Fogle.

14 *DEFENDANT FOGLE:* Yes, Your Honor.

15 *THE COURT:* Mr. Gentry.

16 *DEFENDANT GENTRY:* Yes, sir.

17 *THE COURT:* Mr. Hodges.

18 *DEFENDANT HODGES:* Yes, sir.

19 *THE COURT:* Mr. Mize.

20 *DEFENDANT MIZE:* Yes, sir.

21 *THE COURT:* Ms. Veatch.

22 *DEFENDANT VEATCH:* Yes, sir.

23 *THE COURT:* Because you understand the nature of the
24 charges, I will allow you to waive the reading of the
25 indictment here in open court for purposes of arraignment.

1 Do you wish to waive that reading?

2 Mr. Brown.

3 *DEFENDANT BROWN:* Yes, sir.

4 *THE COURT:* Ms. Chamberlain.

5 *DEFENDANT CHAMBERLAIN:* Yes, sir.

6 *THE COURT:* Mr. Fogle.

7 *DEFENDANT FOGLE:* Yes, Your Honor.

8 *THE COURT:* Mr. Gentry.

9 *DEFENDANT GENTRY:* Yes.

10 *THE COURT:* Mr. Hodges.

11 *DEFENDANT HODGES:* Yes, sir.

12 *THE COURT:* Mr. Mize.

13 *DEFENDANT MIZE:* Yes, sir.

14 *THE COURT:* Ms. Veatch.

15 *DEFENDANT VEATCH:* Yes.

16 *THE COURT:* Then I ask you, how do you plead to
17 the charges against you in the indictment, guilty or not
18 guilty?

19 Mr. Brown.

20 *DEFENDANT BROWN:* Not guilty.

21 *THE COURT:* Ms. Chamberlain.

22 *DEFENDANT CHAMBERLAIN:* Not guilty.

23 *THE COURT:* Mr. Fogle.

24 *DEFENDANT FOGLE:* Not guilty, Your Honor.

25 *THE COURT:* Mr. Gentry.

1 *DEFENDANT GENTRY:* Not guilty.

2 *THE COURT:* Mr. Hodges.

3 *DEFENDANT HODGES:* Not guilty.

4 *THE COURT:* Mr. Mize.

5 *DEFENDANT MIZE:* Not guilty.

6 *THE COURT:* And Ms. Veatch.

7 *DEFENDANT VEATCH:* Not guilty.

8 *THE COURT:* Because each of you have pled not
9 guilty, you are entitled to a jury trial in this district.
10 This case is set for trial on August 1, 2016, at 8:30 a.m.
11 It's scheduled for jury trial before the Honorable Judge John
12 McBryde in the courtroom located on the fourth floor of the
13 courthouse.

14 At this time I'm signing an order that sets that
15 time and date for trial, and the order sets forth other
16 deadlines and procedures which must be followed between now
17 and the date of your trial.

18 Are there any other matters to consider in
19 connection with the defendants before the Court from the
20 government?

21 *MR. COLE:* No, Your Honor.

22 *THE COURT:* From any defendant?

23 *ALL PRESENT:* No, Your Honor.

24 *THE COURT:* Very well. The defendants are remanded
25 to the custody of the United States Marshal pending further

proceedings. The attorneys are excused.

ALL PRESENT: Thank you, Your Honor.

(End of Proceedings)

REPORTER'S CERTIFICATE

I, Debra G. Saenz, CSR, RMR, CRR, certify that the foregoing is a true and correct transcript from the record of proceedings in the foregoing entitled matter.

I further certify that the transcript fees format comply with those prescribed by the Court and the Judicial Conference of the United States.

Signed this 14th day of March, 2017.

/s/ Debra G. Saenz

DEBRA G. SAENZ, CSR, RMR, CRR
Texas CSR No. 3158
Official Court Reporter
The Northern District of Texas
Fort Worth Division

CSR Expires: 12/31/17

Business Address: 501 W. 10th Street, Room 424
Fort Worth, Texas 76102

Telephone: 817.850.6661

E-Mail Address: debbie.saenz@yahoo.com

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